

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

Gee-Gwo Mei et al.

RECEIVED  
CENTRAL FAX CENTER

APR 18 2005

Serial No.: 09/421,363 Group Art Unit: 2645

Filed: November 19, 1999 Examiner: Olisa Anwah

For: SYSTEM AND METHOD FOR PERSONALIZING DIALOGUE MENU FOR AN  
INTERACTIVE VOICE RESPONSE SYSTEMHonorable Commissioner of Patents  
Alexandria, VA 22313-1450**APPELLANT'S BRIEF ON APPEAL**

Sir:

Appellant respectfully appeals the final rejection of claims 1-10 and 12-42 in the Office Action dated November 16, 2004. A Notice of Appeal was filed herein on February 16, 2005.

**I. REAL PARTY IN INTEREST**

The real party in interest is International Business Machines Corporation, assignee of 100% interest of the above-referenced patent application.

**II. RELATED APPEALS AND INTERFERENCES**

There are no other appeals or interferences known to Appellant, Appellant's legal representative or Assignee which would directly affect or be directly affected by or have a bearing on the Board's decision in this appeal.

**III. STATUS OF CLAIMS**

Claims 1-10 and 12-42 are all the claims presently pending in the application and are set forth fully in the attached Appendix.

Claims 1-4, 6-8, 10-12, 15-26, 28-32 36, 37 and 42 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Polcyn, et al. (U.S. Patent No. 6,061,433). Claims 13-14 stand

04/27/2005 GSTANLEY 00000004 500510 09421363

01 FC:1402 500.00 DA